

Joint Standing Committee on Inland Fisheries and Wildlife

LD 20 **An Act To Amend the Law Governing Hunting and Fishing
Licenses for Maine National Guard Members** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRYANT-DESCHENE	ONTP	

LD 20, a concept draft pursuant to Joint Rule 208, proposed to make members of the Maine National Guard who were deployed overseas eligible to receive a free hunting or fishing license once that deployment ended.

LD 22 **Resolve, Directing the Commissioner of Inland Fisheries and
Wildlife To Issue a Policy Clarifying Public Access Requirements
for Ponds To Qualify for Fish Stocking Programs** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRYANT-DESCHENE	ONTP	

LD 22 proposed to direct the Commissioner of Inland Fisheries and Wildlife to issue a written policy clarifying public access requirements for ponds to qualify for fish stocking programs.

LD 43 **An Act To Provide Hunters 70 Years of Age or Older with
Antlerless Deer Permits** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SHERMAN	ONTP MAJ	
CLUKEY	OTP MIN	

LD 43 proposed to require the Commissioner of Inland Fisheries and Wildlife to issue an antlerless deer permit to a hunter who was 70 years of age or older.

LD 48 **An Act To Ensure the Safe and Timely Retrieval of Wounded Bear** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WATSON	ONTP	
BRYANT B		

LD 48 proposed to authorize the Commissioner of Inland Fisheries and Wildlife to issue permits to licensed guides to dispatch wounded bear. The bill also would have authorized the commissioner to charge a \$5 fee to cover the administrative costs of issuing a permit.

Joint Standing Committee on Inland Fisheries and Wildlife

LD 50

An Act To Ban Remote-control Hunting

PUBLIC 81

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CARR CLUKEY	OTP-AM	H-110

LD 50 was a concept draft pursuant to Joint Rule 208. It proposed to ban remote-control hunting.

Committee Amendment "A" (H-110) proposed to replace the bill and prohibit the owner or operator of a commercial shooting area or a commercial large game shooting area from using a website or a service or business via any other means that would permit a person to hunt large game, wild animals or game birds that are located in this State through the use of a computer-controlled gun, shooting apparatus or any other remote-control device when the person using the website, service or business is physically removed from the immediate vicinity of the large game, wild animal or game bird. This amendment would make a violation of this prohibition a Class E crime.

Enacted law summary

Public Law 2005, chapter 81 prohibits the owner or operator of a commercial shooting area or a commercial large game shooting area from using a website or a service that allows a person to hunt large game, wild animals or game birds that are located in this State through the use of a computer-controlled gun or shooting apparatus when the person using the website or service is physically removed from the immediate vicinity of the large game, wild animal or game bird.

LD 67

An Act To Allow the Use of Crossbows for Hunting

PUBLIC 419

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MOODY	OTP-AM MAJ ONTP MIN	H-152

LD 67 proposed to remove the prohibition against using a crossbow or set bow to hunt a wild animal or wild bird.

Committee Amendment "A" (H-152) proposed to replace the bill and would:

1. Allow the use of crossbows to hunt bear and deer during the regular firearms season on those species and clarify that a person would not be able to use a crossbow to hunt deer during an expanded season or in expanded archery zones or in the muzzle-only deer season;
2. Establish a crossbow hunting license and fees;
3. Require a person to hold a valid big game hunting license to be eligible for a crossbow hunting license;
4. Require the Department of Inland Fisheries and Wildlife to adopt rules regulating the use of crossbows for hunting that would include a prohibition against the use of pistol-type crossbows or crossbows with a draw weight of less than 100 pounds or more than 200 pounds;
5. Require the Commissioner of Inland Fisheries and Wildlife to establish a crossbow hunting education course;

Joint Standing Committee on Inland Fisheries and Wildlife

6. Require a person to complete both the crossbow and the archery hunting education courses prior to obtaining a crossbow license;
7. Prohibit the possession of a crossbow by a convicted felon until 5 years after the person is discharged from the sentences imposed; and
8. Make this Act effective January 1, 2006.

Enacted law summary

Public Law 2005, chapter 419 allows the use of crossbows to hunt bear and deer during the regular firearms season on those species but does not allow the use of crossbows to hunt deer during the expanded archery deer season or in the expanded archery zones or in the muzzle-loading-only deer season. It requires a person to complete both a crossbow and archery hunting education course to be eligible for a crossbow hunting license and sets a fee schedule for the license. Public Law 2005, chapter 419 directs the Commissioner of the Department of Inland Fisheries and Wildlife to establish a crossbow education course and to adopt rules regulating the use of crossbows that must include a prohibition against the use of pistol-type crossbows or crossbows with a draw weight of less than 100 pounds or more than 200 pounds. It also prohibits convicted felons from possessing a crossbow and takes effect January 1, 2006.

LD 82

An Act To Suspend or Revoke Licenses and Permits Issued by the Department of Inland Fisheries and Wildlife to a Person Convicted of Operating under the Influence

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WOODCOCK	ONTP	A
	OTP-AM	B
	OTP-AM	C

LD 82 proposed to require the Commissioner of Inland Fisheries and Wildlife to suspend or revoke a license or permit issued under the Maine Revised Statutes, Title 12, Part 13 held by a person convicted of operating a motor vehicle under the influence. The bill would make a person ineligible to obtain a license or permit under Title 12, Part 13 during the applicable suspension or revocation period and would require the court to notify the Commissioner of Inland Fisheries and Wildlife of a person convicted of operating under the influence.

Committee Amendment "A" (S-71) was the majority report and proposed to add an appropriation and allocation section to the bill.

Committee Amendment "B" (S-72) was the minority report of the committee and proposed to replace the bill. This amendment proposed to authorize the court to suspend a person's hunting, fishing and trapping licenses for a period of one year after that person has been convicted of 3 OUI offenses within a 10-year period. For a person having 4 or more OUI offenses within a 10-year period, the court would be able to suspend those licenses for a period of at least one year and up to and including the permanent revocation of those licenses.

Joint Standing Committee on Inland Fisheries and Wildlife

LD 120 **An Act To Require the Turkey Season To Include the Last 2 Weeks of April** **ONTP**

<u>Sponsor(s)</u> TRAHAN		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 120 proposed to extend the turkey season to include the last 14 days in April.

LD 137 **An Act To Prohibit a Landowner from Charging a Fee for Bear Baiting** **ONTP**

<u>Sponsor(s)</u> COWGER		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 137 proposed to prohibit a landowner from charging a fee for bear baiting.

LD 144 **An Act To Redefine the Boundaries of the Fairfield Sanctuary** **PUBLIC 17**

<u>Sponsor(s)</u> BRYANT B		<u>Committee Report</u> OTP		<u>Amendments Adopted</u>
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LD 144 proposed to redefine the area of land owned by Good Will-Hinckley designated as a wildlife sanctuary. The new description would remove a portion of the land from the sanctuary, opening it to hunting.

Enacted law summary

Public Law 2005, chapter 17 redefines the area of land owned by Good Will-Hinckley that is designated as a wildlife sanctuary.

LD 165 **Resolve, Directing the Department of Inland Fisheries and Wildlife To Support All-terrain Vehicle Clubs in Their Efforts To Mark Trails** **ONTP**

<u>Sponsor(s)</u> SHERMAN		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 165 proposed to direct the Department of Inland Fisheries and Wildlife to use \$30,000 of Other Special Revenue funds collected from all-terrain vehicle registration fees to support local all-terrain vehicle clubs in their efforts to develop and place signs for all-terrain vehicle trails.

Joint Standing Committee on Inland Fisheries and Wildlife

LD 217 **Resolve, Directing the Department of Inland Fisheries and Wildlife
To Review and Simplify Rules Governing Brook Trout Fishing** **ONTP**

<u>Sponsor(s)</u> WATSON BRYANT B	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 217 proposed to direct the Department of Inland Fisheries and Wildlife to evaluate the department's rules implementing the laws governing brook trout fishing and trout management and to develop any necessary recommendations to change the rules.

LD 231 **An Act To Provide for Registration of Certain Snowmobile Trail-
grooming Equipment** **PUBLIC 93**

<u>Sponsor(s)</u> TRAHAN	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-157
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LD 231 proposed to establish a registration fee for certain snowmobile trail-grooming equipment.

Committee Amendment "A" (H-157) proposed to replace the bill and prohibit the use of snowmobile trail-grooming equipment on snowmobile trails unless that equipment is registered. It proposed to define "trail-grooming equipment" and limits those eligible to register trail-grooming equipment to organizations that have an approved contract with the Department of Conservation or a person who can show proof of membership in such an organization. This amendment would also establish a one-time registration fee of \$33 and provide that revenue from the registration of trail-grooming equipment be allocated in the same manner as revenue from snowmobile registrations. It also proposed to provide an exception to the registration requirement, under certain conditions, for landowners, commercial ski areas and federal, state and local governmental units. Finally, the amendment would make it a civil violation to fraudulently obtain a trail-grooming equipment registration or to operate unregistered trail-grooming equipment on a snowmobile trail.

Enacted law summary

Public Law 2005, chapter 93 prohibits the use of snowmobile trail-grooming equipment on snowmobile trails unless that equipment is registered. It limits those eligible to register trail-grooming equipment to organizations that have an approved contract with the Department of Conservation or a person who can show proof of membership in such an organization. Public Law 2005, chapter 93 establishes a one-time registration fee of \$33 and provides that revenue from the registration of trail-grooming equipment be allocated in the same manner as revenue from snowmobile registrations. It also provides an exception to the registration requirement, under certain conditions, for landowners, commercial ski areas and federal, state and local governmental units.

Joint Standing Committee on Inland Fisheries and Wildlife

LD 233 **An Act To Change the Definition of "Snowmobile"** **ONTP**

<u>Sponsor(s)</u> TRAHAN		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 233 proposed to amend the definition of "snowmobile" to match the definition in federal law.

LD 253 **An Act To Employ an Additional Game Warden for the Sebago Lake Region** **ONTP**

<u>Sponsor(s)</u> CRESSEY HASTINGS		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 253 proposed to require the Commissioner of Inland Fisheries and Wildlife to add an additional game warden in the Sebago Lake region and to fund that position from the Lake and River Protection Fund.

LD 268 **An Act To Allow Electronic Calling Devices for Hunting Moose** **PUBLIC 117**

<u>Sponsor(s)</u> PLOWMAN		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> S-80
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LD 268 proposed to allow the use of electronic calling devices to hunt any game animal except migratory game birds.

Committee Amendment "A" (S-80) proposed to remove section 1 of the bill, which would have specifically authorized electronic calling devices except when hunting migratory birds. Current law does not prohibit the use of such devices unless hunting moose or migratory game birds.

Enacted law summary

Public Law 2005, chapter 117 allows the use of electronic calling devices to hunt moose.

LD 283 **An Act To Improve the Moose Lottery Procedure** **ONTP**

<u>Sponsor(s)</u> MOODY		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 283 was an emergency measure and proposed to require the Commissioner of Inland Fisheries and Wildlife draw the first 1,000 permits exclusively from applicants who have 7 or more points during the selection process

Joint Standing Committee on Inland Fisheries and Wildlife

for moose permits. A person would accumulate one point for each consecutive year that person applies for a moose permit but is not selected. The bill would take effect upon approval.

LD 303 **An Act To Promote Fairness and Democracy in Wildlife Management** **ONTP**

<u>Sponsor(s)</u> EDER		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 303 proposed to remove the current statutory requirement that any candidate for the office of Commissioner of Inland Fisheries and Wildlife commissioner have a record of demonstrated support for, and an understanding, of the basics of modern wildlife and fisheries management and have experience with hunting, fishing or trapping. It also proposed to remove the requirement that anyone appointed to serve as Deputy Commissioner of Inland Fisheries and Wildlife be qualified by training and experience in fisheries and wildlife management or conservation law enforcement.

LD 307 **An Act To Improve Recreational Watercraft Safety**

<u>Sponsor(s)</u> WATSON		<u>Committee Report</u>		<u>Amendments Adopted</u>
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LD 307 proposed to establish a recreational watercraft training and certificate program to promote the safe operation of watercraft in the waters of the State.

This bill was carried over by H.P. 1203 to any special or regular session of the 122nd Legislature.

LD 314 **An Act To Prohibit Bear Baiting** **ONTP**

<u>Sponsor(s)</u> EDER		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 314 proposed to prohibit bear baiting except when it is done to protect livestock, domestic animals, threatened or endangered wildlife, public or private property, public safety or commercial timberlands or for scientific or research purposes.

Joint Standing Committee on Inland Fisheries and Wildlife

LD 336 **An Act To Lower the Minimum Age for Operating an All-terrain Vehicle to 14 Years of Age** **ONTP**

<u>Sponsor(s)</u> JACKSON BRYANT B	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 336 proposed to lower the minimum age for operating an ATV from 16 years of age to 14 years of age. It also proposed to correct conflicts created by Public Law 2003, chapters 655 and 695 by incorporating the changes made by both laws.

LD 340 **Resolve, Directing the Department of Inland Fisheries and Wildlife To Review Brook Trout Fishing Rules** **ONTP**

<u>Sponsor(s)</u> BRYANT B WATSON	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 340 proposed to direct the Department of Inland Fisheries and Wildlife to evaluate the effectiveness of the 4 categories of brook trout fishing rules in achieving the goals of the trout management plan.

LD 354 **An Act To Give Moose Permits to Members of the Wesget-Sipu Organization** **CARRIED OVER**

<u>Sponsor(s)</u> JACKSON MARTIN	<u>Committee Report</u>	<u>Amendments Adopted</u>
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LD 354 proposes to require the Commissioner of Inland Fisheries and Wildlife to issue a moose permit to every member of the Wesget-Sipu organization who requests a moose permit.

This bill was carried over by H.P. 1203 to any special or regular session of the 122nd Legislature.

LD 364 **An Act To Prohibit Personal Watercraft on Rocky Pond in the Town of Orland** **ONTP**

<u>Sponsor(s)</u> LINDELL ROSEN R	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 364 proposed to prohibit the use of personal watercraft on Rocky Pond in the Town of Orland.

Joint Standing Committee on Inland Fisheries and Wildlife

LD 420 **An Act To Establish a 3-day Field Trial Competition on Bobcats** **ONTP**

<u>Sponsor(s)</u> CARR		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 420 proposed to establish a 3-day field trial competition on bobcats that would begin in 2006 and would be held the last Thursday, Friday and Saturday in February of each year. The bill would prohibit the injuring or killing of a bobcat during a field trial.

LD 421 **An Act To Improve the Water Quality of Hall Pond in Paris** **DIED BETWEEN HOUSES**

<u>Sponsor(s)</u> HANLEY B		<u>Committee Report</u> OTP MAJ ONTP MIN		<u>Amendments Adopted</u>
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LD 421 proposed to prohibit the operation of all motorboats, snowmobiles, ATVs and personal watercraft on Hall Pond in the Town of Paris.

LD 427 **An Act To Increase the Maximum Number of Days of the Muzzle-loading Hunting Season** **ONTP**

<u>Sponsor(s)</u> ANNIS DAVIS P		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 427 proposed to increase from 12 to 18 the maximum number of days of the muzzle-loading hunting season.

LD 431 **An Act To Allow Certain Unregistered All-terrain Vehicles To Participate in Special Events in the State** **PUBLIC 177 EMERGENCY**

<u>Sponsor(s)</u> LUNDEEN		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-224
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LD 431 proposed to authorize the Commissioner of Inland Fisheries and Wildlife to grant a conditional reciprocity to certain nonresident ATV users to participate in festivals and special events held in the State.

Committee Amendment "A" (H-224) proposed to replace the bill and would exempt an all-terrain vehicle registered in another state or a province of Canada from the registration requirements of this State if that all-terrain vehicle was participating in a special event in Maine and the organizers of the special event had the prior approval of the Commissioner of Inland Fisheries and Wildlife.

Enacted law summary

Joint Standing Committee on Inland Fisheries and Wildlife

Public Law 2005, chapter 177 exempts an all-terrain vehicle registered in another state or a province of Canada from the registration requirements of this State if that all-terrain vehicle is participating in a special event in Maine and the organizers of the special event have the prior approval of the Commissioner of Inland Fisheries and Wildlife.

Public Law 2005, chapter 177 was enacted as an emergency measure effective May 20, 2005.

LD 453 **An Act To Assist the Mobility of the Disabled in Hunting and Outdoor Recreation** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HUTTON	ONTP	

LD 453 proposed to authorize the Commissioner of Inland Fisheries and Wildlife to issue a complimentary ATV registration to a person who is a paraplegic or a single or double amputee.

LD 477 **An Act To Authorize the Use of Tribal Sustenance Hunting Permits on State Lands** **CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MOORE F		

LD 477 proposed to establish tribal sustenance moose hunting permits that would allow members of certain tribes to hunt moose on land owned by the State. The bill would require the Commissioner of Inland Fisheries and Wildlife to adopt rules to administer the permits and to protect the moose resource.

This bill was carried over by H.P. 1203 to any special or regular session of the 122nd Legislature.

LD 512 **An Act To Remove the Ethics Course Requirement for First Hunting and Fishing Violations and Require the Department of Inland Fisheries and Wildlife To Hold the Courses in a Location Within 100 Miles of All Citizens of the State** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JACKSON	ONTP MAJ	
MARTIN	OTP-AM MIN	

LD 512 proposed to amend the law that requires a person who commits a hunting or fishing violation to take an outdoor ethics course to apply only to a 2nd or subsequent violation and not to a first violation. This bill would require the Department of Inland Fisheries and Wildlife, the Bureau of Warden Service to schedule any courses within 100 miles of the residence of a person taking the course.

Joint Standing Committee on Inland Fisheries and Wildlife

Committee Amendment "A" (H-388) was the minority report and would add an appropriations and allocations section to the bill.

LD 516 **An Act To Prohibit Bear Baiting within 100 Yards of an Adjoining Property** **ONTP**

<u>Sponsor(s)</u> SMITH W MARTIN	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 516 proposed to prohibit bear baiting within 100 yards of an adjoining property unless written permission was granted by the owner or lessee.

LD 531 **An Act To Limit the Harvesting of Eels in Maine Rivers** **ONTP**

<u>Sponsor(s)</u> DAMON KAELIN	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 531 proposed to prohibit the fishing for or taking of eels in Maine inland waters, except by eel pot or by hook and line.

LD 565 **An Act To Amend the Law Regarding Fishing Derbies** **PUBLIC 96
EMERGENCY**

<u>Sponsor(s)</u> PIOTTI WESTON	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-137
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LD 565 proposed to exempt accredited postsecondary educational institutions that hold fishing derbies from the prize limits set by the Commissioner of Inland Fisheries and Wildlife for derbies if the derby event meets the following requirements:

1. Participants may not fish from motorboats;
2. Participants may only use artificial lures;
3. The derby must be an event that is only catch and release or catch, measure and release;
4. Participants may target only warm-water species;
5. There is a limit of one rod per person and a maximum of 2 rods per boat; and

Joint Standing Committee on Inland Fisheries and Wildlife

6. At least 80% of the prizes awarded are in the form of scholarships.

Committee Amendment "A" (H-137) proposed to replace the bill with an emergency measure that would establish a derby fishing permit for educational institutions that wish to hold fishing derbies and award prizes in excess of \$10,000 for a single fishing derby. Additionally, the amendment would establish the following permit restrictions.

1. Rules adopted by the commissioner pursuant to the Maine Revised Statutes, Title 12, section 12504 would be applicable to permits issued under the new derby permit section, except for rules limiting the cash value of prizes or concerning an ice fishing derby.
2. A derby could be conducted only in bodies of water free of ice and could not target cold water species.
3. A person could not participate as an angler in a derby unless that person was affiliated with the sponsoring educational institution, either as a student, a parent or sibling of a student, an alumnus or a staff member of the educational institution. A student could invite a single guest to participate in the derby.
4. At least 80% of the prizes awarded at a derby would be in the form of scholarships.
5. An angler participating in a derby could not use a motorboat or have more than one rod per person or more than 2 rods per boat and would be limited to fishing with artificial lures only.
6. A derby would have to be an event that is only catch and release or catch, measure and release.

Enacted law summary

Public Law 2005, chapter 96 establishes a derby fishing permit for educational institutions that wish to hold fishing derbies and award prizes in excess of \$10,000 for a single fishing derby. It provides a number of permit restrictions regarding how and when a derby may be conducted, form of prizes awarded and who may participate in such a derby.

Public Law 2005, chapter 96 was enacted as an emergency measure effective May 12, 2005.

LD 612

An Act To Authorize the Exchange of a Designated Hunting Season for Another Hunting Season for the Same Game Species

PUBLIC 74

Sponsor(s)
BRYANT M
DIAMOND

Committee Report
OTP-AM

Amendments Adopted
H-112

LD 612 proposed to allow a person who holds a valid hunting permit to transfer that permit with a person who also holds a valid hunting permit. The bill would also require that the transfer take place prior to the start of a particular season.

Committee Amendment "A" (H-112) proposed to replace the bill. Current law allows a person who has been assigned a designated hunting area or zone by the department for purposes of hunting a game animal to exchange that designated zone or area with another person assigned a different hunting zone or area for the same game

Joint Standing Committee on Inland Fisheries and Wildlife

animal for purposes of hunting that same game animal. This amendment would allow a person to also exchange seasons for the same game animal.

Enacted law summary

Public Law 2005, chapter 74 expands the opportunities a person has to exchange hunting areas and zones for a specific species by authorizing a person to also exchange hunting seasons for the same species. Under current law, a person assigned a designated hunting area or zone by the Department of Inland Fisheries and Wildlife for purposes of hunting a certain species may exchange that designated zone or area with another person assigned a different hunting zone or area for the same species.

LD 628 **An Act To Amend the Bear Hunting Laws** **ONTP**

<u>Sponsor(s)</u> EBERLE		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 628 proposed to prohibit the hunting of bears with dogs and to authorize the Commissioner of Inland Fisheries and Wildlife to create and issue permits that would allow a person to kill or register a bear that was caught in another person's trap.

LD 651 **An Act Regarding Education of Certain Personal Watercraft Operators** **ONTP**

<u>Sponsor(s)</u> BRYANT B WHEELER		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 651 proposed to require a person 12 to 15 years of age to satisfactorily complete a boating safety education course approved by the National Association of State Boating Law Administrators in order to operate a personal watercraft. A person 12 to 15 years of age who had satisfactorily completed an approved boating safety education course would be required to possess proof of completion and proof of age while operating a personal watercraft and to produce this proof upon request of a game warden or law enforcement officer authorized to enforce the State's watercraft laws.

LD 652 **An Act To Provide Free Antlerless Deer Permits to Persons 100 Years of Age or Older** **PUBLIC 75**

<u>Sponsor(s)</u> DIAMOND BRYANT M		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> S-70
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Joint Standing Committee on Inland Fisheries and Wildlife

LD 652 proposed to allow a resident 100 years of age or older to obtain a complimentary license or permit to hunt any deer, including antlerless deer. Current law provides a complimentary license to hunt, trap or fish to residents 70 years of age or older; this benefit is due to expire January 1, 2006.

Committee Amendment "A" (S-70) proposed to authorize the Commissioner of Inland Fisheries and Wildlife to issue complimentary antlerless deer permits to residents 100 years of age or older.

Enacted law summary

Public Law 2005, chapter 75 authorizes the Commissioner of Inland Fisheries and Wildlife to issue complimentary antlerless deer permits to residents 100 years of age or older.

LD 660 **An Act To Allow the Taking of Another Deer by Persons Who
Take a Deer on Youth Day** **ONTP**

<u>Sponsor(s)</u> JOY		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 660 proposed to allow a youth who took a deer on youth deer hunting day to take another deer during the regular open season on deer.

LD 664 **An Act To Control Fish Stocking in Inland Waters** **ONTP**

<u>Sponsor(s)</u> FLETCHER		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 664 proposed to prohibit the Commissioner of Inland Fisheries and Wildlife from authorizing another state agency to introduce fish into the inland waters of the State.

LD 723 **An Act To Amend Laws Pertaining to Commercial Fishing and
Baitfish** **PUBLIC 237**

<u>Sponsor(s)</u> CEBRA		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-352
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LD 723 proposed to change the definition of dip net to include a minimum size, provide further definition of a commercial grader within the smelt wholesaler's license and set reporting requirements for commercial smelt dealers.

Committee Amendment "A" (H-352) proposed to replace the bill and:

1. Provide restrictions on the size of a dip net that can be used to take smelts in certain areas;

Joint Standing Committee on Inland Fisheries and Wildlife

2. Provide that a person who holds a valid Maine fishing license could take smelts for recreational purposes only in inland waters free or partially free of ice from noon to 2:00 a.m. with a dip net. It would also provide that a licensee could keep only 5 dozen smelts of that person's bag limit alive and clarify that the bag limit is for a 24-hour period;
3. Provide that from ice-in to ice-out, smelt wholesale dealers would be prohibited from using baitfish traps and dip nets to take smelts, except a dip net could be used to assist in handling and transporting smelts;
4. Provide that in waters naturally free of ice, a smelt wholesale dealer could take smelts from noon to 2:00 a.m. by the use of a dip net and authorize the Commissioner of Inland Fisheries and Wildlife to establish a daily bag limit by rule. A licensee could keep the daily bag limit alive and the daily bag limit is for a 24-hour period. The amendment would also restrict wholesale dealers to 2 quarts during this time period;
5. Authorize the commissioner to shorten the noon to 2:00 a.m. smelt fishing timeframe by rule for enforcement or conservation purposes;
6. Prohibit smelt wholesale dealers from using food particles or any other type of bait or lure except artificial light for luring smelts into a drop net or lift net;
7. Amend the description of a smelt grader and give the commissioner the authority to modify that description by rule for conservation or enforcement purposes;
8. Require a person who holds a smelt wholesaler dealer license who fishes with a hook and line or a dip net to use a grader to size smelts caught by hook and line and dip net;
9. Remove the requirement that smelt wholesale dealers report dates they fished for smelts;
10. Change the date that smelt wholesale dealers would report to the Department of Inland Fisheries and Wildlife from April 10th to May 31st annually and make all data submitted in the report confidential, except the commissioner could release otherwise confidential information if it is released in a form that is statistical or general in nature; and
11. Give the commissioner the discretion to prohibit a person from obtaining a smelt wholesale dealers license if that person failed to meet reporting requirements. Current law mandates that a person who fails to meet the reporting requirements is ineligible to obtain a smelt wholesale dealers license.

Enacted law summary

Public Law 2005, chapter 237 affects Maine's smelt fishing laws as follows:

1. Provides restrictions on the size of a dip net that can be used to take smelts in certain areas;
2. Provides that a person who holds a valid Maine fishing license may take smelts for recreational purposes only in inland waters free or partially free of ice from noon to 2:00 a.m. with a dip net. It also provides that a licensee may keep only 5 dozen smelts of that person's bag limit alive and clarifies that the bag limit is for a 24-hour period;
3. Provides that from ice-in to ice-out, smelt wholesale dealers are prohibited from using baitfish traps and dip nets to take smelts, except a dip net can be used to assist in handling and transporting smelts;

Joint Standing Committee on Inland Fisheries and Wildlife

4. Provides that in waters naturally free of ice, a smelt wholesale dealer may take smelts from noon to 2:00 a.m. by the use of a dip net and authorizes the Commissioner of Inland Fisheries and Wildlife to establish a daily bag limit by rule. A licensee may keep the daily bag limit alive and the daily bag limit is for a 24-hour period. The amendment restricts wholesale dealers to 2 quarts during this time period;
5. It authorizes the commissioner to shorten the noon to 2:00 a.m. smelt fishing timeframe by rule for enforcement or conservation purposes;
6. Prohibits smelt wholesale dealers from using food particles or any other type of bait or lure except artificial light for luring smelts into a drop net or lift net;
7. Amends the description of a smelt grader and gives the commissioner the authority to modify that description by rule for conservation or enforcement purposes;
8. Requires a person who holds a smelt wholesaler dealer license who fishes with a hook and line or a dip net to use a grader to size smelts caught by hook and line and dip net;
9. Removes the requirement that smelt wholesale dealers report dates they fished for smelts;
10. Changes the date that smelt wholesale dealers must report to the Department of Inland Fisheries and Wildlife from April 10th to May 31st annually and makes all data submitted in the report confidential, except the commissioner may release otherwise confidential information if it is released in a form that is statistical or general in nature; and
11. Gives the commissioner the discretion to prohibit a person from obtaining a smelt wholesale dealers license if that person fails to meet reporting requirements. Current law mandates that a person who fails to meet the reporting requirements is ineligible to obtain a smelt wholesale dealers license.

The bill as amended was reviewed and evaluated by the Joint Standing Committee on Judiciary pursuant to the Maine Revised Statutes, Title 1, section 434, which requires review and evaluation of new exceptions to laws governing public records.

LD 759

An Act To Provide For Special Antlerless Deer Permits to Certain Disabled Hunters

PUBLIC 142

Sponsor(s)
JACKSON
PERRY J

Committee Report
OTP-AM

Amendments Adopted
H-225

LD 759 proposed to create a special antlerless deer license that allows a person with ambulatory disability to take an antlerless deer anywhere in the State where any deer may be taken. An applicant for the license would have to provide a letter signed by a licensed physician confirming the ambulatory disability.

Committee Amendment "A" (H-225) proposed to limit eligibility for the special antlerless deer permit to residents and clarify that these permits could be issued only in areas already open to antlerless deer hunting. The

Joint Standing Committee on Inland Fisheries and Wildlife

amendment would also clarify that an eligible person must submit an application and provide verification of disability before being issued a permit.

Enacted law summary

Public Law 2005, chapter 142 creates a special antlerless deer license for residents that allow a person with an ambulatory disability to take an antlerless deer in areas already open to antlerless deer hunting. It also provides that an eligible person must submit an application and provide verification of disability before being issued the permit.

LD 761 **An Act To Extend the Deer Hunting Season by One Week** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TUTTLE	ONTP	

LD 761 proposed to extend the regular firearm deer hunting season by one week.

LD 762 **An Act To Provide Moose Permits to Persons 75 Years of Age or Older with Hunting Experience** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JACOBSEN COURTNEY	ONTP	

LD 762 proposed to allow a person 75 years of age or older who held a hunting permit for 3 of the past 5 years to receive a moose permit upon application to the Commissioner of Inland Fisheries and Wildlife.

LD 810 **An Act To Require the Use of Reflective Material on Ice Fishing Shacks** **DIED BETWEEN HOUSES**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PERRY A RAYE	OTP-AM MAJ ONTP MIN	

LD 810 proposed to require that the information displayed on an ice fishing shack be in reflective material.

Committee Amendment "A" (H-231) proposed to replace the bill and prohibit a person from placing an ice fishing shack or structure on the inland waters of the State, unless it is marked midway up on 4 sides with Department of Transportation-approved reflective material measuring at least 12 square inches.

Joint Standing Committee on Inland Fisheries and Wildlife

LD 857 **An Act To Increase Fines for Unregistered ATVs** **ONTP**

<u>Sponsor(s)</u> FINCH		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 857 proposed to increase the minimum fine for operating an unregistered ATV from \$100 to \$200.

LD 858 **An Act To Establish an All-terrain Vehicle Trail Pass System** **ONTP**

<u>Sponsor(s)</u> FINCH		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 858, a concept draft pursuant to Joint Rule 208, proposed to create an all-terrain vehicle trail pass system administered by the Department of Inland Fisheries and Wildlife, with revenues shared by the department and registered all-terrain vehicle clubs.

LD 865 **Resolve, To Improve the Information and Education Services of the Department of Inland Fisheries and Wildlife** **ONTP**

<u>Sponsor(s)</u> WATSON		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 865 proposed to require the Commissioner of Inland Fisheries and Wildlife to do the following:

1. Assign staff from within the Department of Inland Fisheries and Wildlife, Division of Public Information and Education to act as liaisons with the Bureau of Resource Management and the Bureau of Administrative Services;
2. Conduct an internal review of the Division of Public Information and Education prior to developing a specific comprehensive plan for that division;
3. Create and fill 3 new positions within the Division of Public Information and Education;
4. Place in each regional office an employee from the Division of Public Information and Education to work closely with field personnel on communications and public outreach;
5. Develop a department wide communication plan and marketing strategy; and
6. Consider using the federal aid apportionment for aquatic education to enhance the aquatic education program within the Division of Public Information and Education.

Joint Standing Committee on Inland Fisheries and Wildlife

LD 873

An Act To Give 2 Moose Hunting Permits to Hunt of a Lifetime

PUBLIC 143

Sponsor(s)
JACKSON
MARTIN

Committee Report
OTP-AM

Amendments Adopted
H-226

LD 873 proposed to direct the Commissioner of Inland Fisheries and Wildlife to issue 2 moose hunting permits to a nonprofit group, such as Hunt of a Lifetime, dedicated to providing hunting and fishing experiences to children under 21 years of age with life-threatening, critical or terminal illnesses.

Committee Amendment "A" (H-226) proposed to give the Commissioner of Inland Fisheries and Wildlife the discretion to issue no more than 2 moose permits annually to a nonprofit group, such as Hunt of a Lifetime, dedicated to providing hunting and fishing experiences to children under 21 years of age with life-threatening, critical or terminal illnesses. It would also provide that the nonprofit group must apply for the permit in writing and would exempt a recipient from the requirement that a person be 10 years of age or older to obtain a hunting license.

Enacted law summary

Public Law 2005, chapter 143 gives the Commissioner of Inland Fisheries and Wildlife the discretion to issue no more than 2 moose permits annually to a nonprofit group, such as Hunt of a Lifetime, dedicated to providing hunting and fishing experiences to children under 21 years of age with life-threatening or terminal illnesses. It provides that the nonprofit group must apply for the permit in writing and exempts a recipient from the requirement that a person be 10 years of age or older to obtain a hunting license.

LD 917

An Act To Allow Hunting on Sunday for Resident Landowners

ONTP

Sponsor(s)
FITTS

Committee Report
ONTP

Amendments Adopted

LD 917 proposed to allow resident landowners to hunt on Sunday on their own land if they owned 20 or more acres and the land was open to hunting by the public.

LD 923

**Resolve, To Begin and End the Fall Wild Turkey Hunting Season
One Week Earlier**

ONTP

Sponsor(s)
VAUGHAN

Committee Report
ONTP

Amendments Adopted

LD 923 proposed to direct the Commissioner of Inland Fisheries and Wildlife to begin the fall wild turkey hunting season one week earlier and to end it one week earlier than was currently scheduled, so that the season tied in with the long Columbus Day weekend.

Joint Standing Committee on Inland Fisheries and Wildlife

LD 935

An Act To Allow Hunters in Maine To Take 2 Deer per Year

ONTP

Sponsor(s)
TUTTLE

Committee Report
ONTP

Amendments Adopted

LD 935 proposed to allow a person who had killed a deer during the regular deer hunting season to hunt and kill a 2nd deer with a muzzle-loading firearm during the muzzle-loading hunting season for deer. The 2nd deer would be a buck only.

LD 940

An Act To Amend the Law Pertaining to All-terrain Vehicle Violations

ONTP

Sponsor(s)
JOY

Committee Report
ONTP

Amendments Adopted

LD 940 proposed to make the following changes to the laws governing all-terrain vehicle, ATV, violations.

1. Under current law, the Commissioner of Inland Fisheries and Wildlife is required to suspend licenses and permits of a person convicted of certain ATV violations. This act proposed to eliminate the requirement of suspension and instead allow the commissioner to suspend the licenses and permits of such a person.
2. It proposed to eliminate operating an ATV on the land of another without permission as one of the ATV violations warranting suspension of licenses, permits and registrations.
3. It proposed to restructure language regarding the presumption of permission for the operation of ATVs on private land.

LD 942

An Act To Prohibit Shooting Wild Turkey Decoys

PUBLIC 94

Sponsor(s)
WOODCOCK

Committee Report
OTP-AM

Amendments Adopted
S-93

LD 942 proposed to prohibit the shooting at or near wild turkey decoys with a firearm, a bow and arrow or a crossbow and to establish penalties for violations.

Committee Amendment "A" (S-93) proposed to replace the bill and remove the undefined term "wildfowl" and replace it with the defined term "migratory waterfowl." The amendment would include wild turkey decoys in the current law that prohibits shooting or shooting at wildfowl decoys or shooting within an area encompassed by wildfowl decoys. In current law this prohibition applies only to shooting with a firearm; this amendment would extend that prohibition to a bow and arrow and a crossbow.

Joint Standing Committee on Inland Fisheries and Wildlife

Enacted law summary

Public Law 2005, chapter 94 prohibits the shooting at or near wild turkey decoys with a firearm, a bow and arrow or a crossbow.

LD 953 **Resolve, To Make the Moose Hunting Season 2 Consecutive Weeks** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MOODY	ONTP	

LD 953 proposed to direct the Commissioner of Inland Fisheries and Wildlife to change the current system of alternating weeks of hunting moose to 2 consecutive weeks, which would follow the bear baiting season.

LD 976 **An Act To Enhance the Safety of Whitewater Rafters** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FLETCHER	ONTP	

LD 976 proposed to require the Commissioner of Inland Fisheries and Wildlife to adopt rules to require commercial whitewater outfitters to provide protective headgear to their clients and to enforce the use of the headgear.

LD 977 **An Act To Create a Civil Violation for Operating a Snowmobile Left of Center** **PUBLIC 73**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TRAHAN	OTP-AM	H-111

LD 977 proposed to make operating a snowmobile to the left of center of a private or public way a civil violation for which a fine of \$100 must be adjudged.

Committee Amendment "A" (H-111) proposed to replace the bill and make operating a snowmobile to the left of the center of a trail when approaching or navigating a curve, corner, grade or hill a civil violation.

Enacted law summary

Public Law 2005, chapter 73 makes operating a snowmobile to the left of the center of a trail when approaching or navigating a curve, corner, grade or hill a civil violation.

Joint Standing Committee on Inland Fisheries and Wildlife

LD 980

An Act To Distribute Fees from All-terrain Vehicle Registrations

ONTP

<u>Sponsor(s)</u> MOODY		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 980 proposed to make a temporary ATV fee permanent by increasing the annual ATV registration fee for residents to \$20 and for nonresidents to \$38. This act also proposed to distribute all revenue generated from the registration of ATVs in a manner similar to the distribution of revenue from the registration of snowmobiles.

Currently, an additional \$3 temporary fee, scheduled to expire June 30, 2005, is imposed on the registrations of ATVs; the fee is dedicated to the ATV Recreational Management Fund in the Department of Conservation.

LD 1004

An Act To Amend Certain Fish and Wildlife Laws

**DIED BETWEEN
HOUSES**

<u>Sponsor(s)</u> BRYANT B		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u>
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LD 1004 proposed to do the following:

Add bow and arrow, archery equipment and hunting equipment to the items subject to seizure but not subject to libel requirements under enforcement and court procedures.

Add 2 permits to the list of items available to resident disabled veterans, to make it consistent with the over-70 complimentary licenses and permits.

Correct the reference to the education program that is required for archery licenses.

Change the term "muzzle-loading license" to "muzzle-loading permit." It is not considered a license because a person must possess a firearms license in order to obtain this permit.

Change the penalty for hunting without a license from \$50 plus an amount equal to twice the applicable license fee to a \$100 fine. The \$100 fine would be consistent with other license violation penalties.

Remove the restriction would be for fishing with artificial flies of attaching the flies to a line so that anglers would be allowed to attach dropper flies to the shank of the hook.

Change the beginning date that the special hide dealer's license is valid from September 1st to August 1st so that it would fall within the time period that hunting seasons are open.

Clarify that lake and river protection stickers must be permanently affixed to watercraft and are not transferable.

Correct conflicts within the all-terrain vehicle laws.

Change language dealing with penalties to bring the inland fisheries and wildlife laws into conformity with MCJUSTIS.

Joint Standing Committee on Inland Fisheries and Wildlife

Correct cross-references.

Committee Amendment "A" (S-317) proposes to do the following:

1. Change the State Government Evaluation Act review for the Department of Inland Fisheries and Wildlife from 2005 to 2007;
2. Increase the penalty for taking an antlerless deer in Washington County without a permit from a Class E crime to a Class D crime with a mandatory minimum fine of \$1,000 and at least 3 days in jail;
3. Clarify where a person can fish around fishways on East Grand Lake Dam and Spednic Lake Dam;
4. Clarify that the prohibition on possessing, selling or transporting an endangered or threatened species also applies to the parts of those species;
5. Provide a resident disabled veteran a complimentary guide license if that veteran meets the qualifications for a guide license under the Maine Revised Statutes, Title 12;
6. Clarify that a person may not fish with more than 3 unbaited artificial flies individually attached to a line or hook; and
7. Correct technical conflicts and cross-reference errors created during the recodification and revision of the Maine Revised Statutes, Title 12. All corrections are technical and do not make substantive changes to the law.

House Amendment "A" (H-668) proposed to allow the holder of a super pack license to take one deer and one antlerless deer per year and clarify that a super pack antlerless deer permit authorizes the holder to take an antlerless deer only pursuant to that permit. It would also provide that a person who hunts with a crossbow is subject to all applicable laws and rules.

House Amendment "A" to Senate Amendment "A" (H-684) proposed to remove the provision concerning the permission requirement.

Senate Amendment "A" (S-330) proposed that permission would not required of a landlord or lessee for a person to operate an ATV over land on which that person has a deeded right-of-way. This amendment also adds an emergency preamble and an emergency clause to the bill.

Senate Amendment "A" to House Amendment "A" (S-361) proposed to clarify that the holder of a super pack license can only use the antlerless deer permit that is issued as part of the super pack license to take an antlerless deer. The amendment would also makes technical changes to the house amendment.

Joint Standing Committee on Inland Fisheries and Wildlife

LD 1039 **Resolve, Implementing the Recommendations of the Commission To Study the Needs and Opportunities Associated with the Production of Salmonid Sport Fish in Maine** **ONTP**

<u>Sponsor(s)</u> BRYANT B JACKSON	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 1039 proposed to require the Department of Inland Fisheries and Wildlife to report to the Joint Standing Committee on Inland Fisheries and Wildlife the department's plans to implement the recommendations of the Commission To Study the Needs and Opportunities Associated with the Production of Salmonid Sport Fish in Maine and proposed to provide progress reports on the implementation of those recommendations every 6 months thereafter until November 1, 2008.

LD 1041 **An Act To Create a Short-term All-terrain Vehicle Registration System** **ONTP**

<u>Sponsor(s)</u> BRYANT B PATRICK	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 1041 proposed to create a short-term registration system for all-terrain vehicles for nonresidents similar to the short-term registration system established for snowmobiles.

LD 1049 **An Act To Allow a Person 18 Years of Age or Younger To Take an Antlerless Deer during Hunting Season without a Permit** **ONTP**

<u>Sponsor(s)</u> DAVIS P BOWLES	<u>Committee Report</u> ONTP MAJ OTP MIN	<u>Amendments Adopted</u>
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LD 1049 proposed to allow people 18 years of age and younger who hold valid hunting licenses to hunt any deer without a permit.

LD 1093 **An Act To Promote Public Safety by Banning the Feeding of Bears in the Wild** **ONTP**

<u>Sponsor(s)</u> EDER	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 1093 proposed to prohibit the feeding of bears in the wild. It would not apply to bear baiting for hunting.

Joint Standing Committee on Inland Fisheries and Wildlife

LD 1095

An Act To Alter the Slot Limit Restriction for Fishing

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JACKSON	ONTP	

LD 1095 proposed to prohibit the Department of Inland Fisheries and Wildlife from setting a slot limit length requirement for fish caught on a body of water that had a 2-fish limit. The act also proposed to authorize the department to set a minimum length on any fish.

LD 1104

An Act To Design and Implement a Pilot Program for Improved Fishing on Mount Desert Island That May Serve as a Model for Maine

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KOFFMAN	ONTP	

LD 1104 proposed to establish a pilot fisheries management program to restore, enhance and protect salmon, brook trout and alewives in the inland waters of Mount Desert Island and to serve as a possible model statewide. The Department of Inland Fisheries and Wildlife would be required to develop and implement the program in collaboration with the Department of Marine Resources and other appropriate federal, state and local government entities. The act proposed to require annual evaluation reports of the program to be submitted to the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters and the joint standing committee of the Legislature having jurisdiction over marine resources matters beginning March 31, 2006.

LD 1131

An Act To Recognize and Protect the Native Eastern Brook Trout as Maine's Heritage Fish

PUBLIC 180

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WOODCOCK	OTP-AM MAJ ONTP MIN	S-143

LD 1131 proposed to name the eastern brook trout as the State's heritage fish and forbid without legislative approval the stocking of any brook trout water listed by the Department of Inland Fisheries and Wildlife as having not been stocked since 1937.

Committee Amendment "A" (S-143) proposed to replace the bill and to direct the Commissioner of Inland Fisheries and Wildlife to adopt by major substantive rule a list of lakes and ponds identified as native brook trout waters that have never been stocked. It would authorize the commissioner to add bodies of water to the initial list of native brook trout waters by routine technical rule if that body of water meets criteria established by the commissioner. It would also provide that the commissioner may remove a lake or pond from the list by major substantive rule. This amendment proposed to provide that the commissioner may not stock or issue a permit to

Joint Standing Committee on Inland Fisheries and Wildlife

stock fish in native brook trout water and makes the use or possession of live bait fish on such a lake or pond a Class E crime. Finally, the amendment would recognize the eastern brook trout as a Maine heritage fish.

Enacted law summary

Public Law 2005, chapter 180 recognizes the eastern brook trout as a Maine heritage fish and directs the Commissioner of Inland Fisheries and Wildlife to adopt by major substantive rule a list of lakes and ponds identified as native brook trout waters that have never been stocked. It authorizes the commissioner to add bodies of water to the initial list of native brook trout waters by routine technical rule if that body of water meets criteria established by the commissioner. It also provides that the commissioner may remove a lake or pond from the list by major substantive rule. Public Law 2005, chapter 180 prohibits the commissioner from stocking or issue a permit to stock fish in native brook trout waters and makes the use or possession of live bait fish on such a lake or pond a Class E crime.

LD 1142 Resolve, To Increase the Efficiency and Effectiveness of the ONTP
Department of Inland Fisheries and Wildlife

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WATSON	ONTP	
BRYANT B		

LD 1142 proposed to direct the Department of Inland Fisheries and Wildlife to implement specific recommendations of the Management Assistance Team assessment from June 2004.

LD 1153 An Act To Establish a Muzzle-loading Shotgun Season on Deer ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ANNIS	ONTP	
DAVIS P		

LD 1153 proposed to establish a muzzle-loading shotgun season on deer in the expanded archery areas of the State and after the archery season, as established by the Commissioner of Inland Fisheries and Wildlife. The muzzle-loading shotgun season would be in addition to the regular hunting season, and a deer tag would need to be purchased in addition to the other fees.

LD 1176 An Act Regarding Duties of Hunters Who Participate in the ONTP
Expanded Archery Deer Hunting Season

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WOODCOCK	ONTP	

LD 1176 proposed that a person hunting during the special archery-only deer hunting season would have a duty to return to the kill site upon request of a game warden and permit inspection of equipment used to harvest the deer.

Joint Standing Committee on Inland Fisheries and Wildlife

LD 1220 **An Act To Improve the Process for Reporting Accidents Involving Off-road Vehicles** **PUBLIC 436**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SMITH N COWGER	OTP-AM	H-288

LD 1220 proposed to apply laws dealing with the requirements and penalties for motorists involved in accidents to operators of snowmobiles and ATVs involved in accidents off-road or on public ways, including laws regarding accident reports and accidents involving death or personal injury, vehicle damage, unattended vehicles and property damage.

Committee Amendment "A" (H-288) proposed to replace the bill and provide that an operator involved in a watercraft, snowmobile or ATV accident who intentionally, knowingly or recklessly fails to provide that operator's name, address and the registration number of that operator's recreational vehicle or fails to render reasonable aid to injured persons commits a Class C crime. The amendment would also correct several cross-references and repeal certain provisions of current law and enact substantially similar provisions in reorganized form.

Enacted law summary

Public Law 2005, chapter 436 provides that an operator involved in a watercraft, snowmobile or ATV accident who intentionally, knowingly or recklessly fails to provide that operator's name, address and the registration number of that operator's recreational vehicle or fails to render reasonable aid to an injured person commits a Class C crime.

LD 1253 **Resolve, Directing the Department of Inland Fisheries and Wildlife To Adopt and Follow a Rules Policy Regarding Inland Fishing** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAVIS P ANNIS	ONTP	

LD 1253 proposed to direct the Department of Inland Fisheries and Wildlife and the Inland Fisheries and Wildlife Advisory Council to adopt and follow a rules policy regarding inland fishing. The policy would state that when it was necessary to give a fish population extra protection, bag-limit or length-limit restrictions would be the first method employed to protect that fish population. Except in extraordinary cases, those restrictions would apply equally to open-water fishing and ice fishing. It also proposed that when a desired objective could not be achieved through bag or length restrictions, gear restrictions would be the next method employed and the method employed last would be restrictions of opportunity by shortening the seasons. In cases in which the department proposed a fishing rule that did not follow this rules policy, a statement would be included with the proposed rule explaining and justifying the decision not to follow the rules policy.

Joint Standing Committee on Inland Fisheries and Wildlife

LD 1287 **An Act Pertaining to the Use of Muzzle-loading Firearms during Muzzle-loading Deer Season** **PUBLIC 280**

<u>Sponsor(s)</u> ANNIS DAVIS P	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-433
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LD 1287 would allow the use of any muzzle-loading firearm during muzzle-loading-only open season on deer and specify that double-barreled muzzle-loading firearms may be used with both barrels loaded.

Committee Amendment "A" (H-433) proposed to provide that during the muzzle-loading-only deer season a person may use both barrels of a traditional muzzleloader when using projectiles of 40 caliber or greater or buckshot and both barrels of a muzzle-loading shotgun.

Enacted law summary

Public Law 2005, chapter 280 provides that during the muzzle-loading-only deer season a person may use both barrels of a muzzle-loading shotgun or a traditional muzzleloader if it is loaded with projectiles of 40 caliber or greater or buckshot.

LD 1298 **An Act To Provide Free Hunting and Fishing Permits to Senior Citizens** **ONTP**

<u>Sponsor(s)</u> BERUBE COURTNEY	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 1298 proposed to allow senior citizens 70 years of age or older to hunt on the day established as youth deer hunting day. It would also provide a free hunting and fishing license to any person 70 years of age or older.

LD 1300 **An Act To Create the ATV Trail Advisory Council** **PUBLIC 186
EMERGENCY**

<u>Sponsor(s)</u> MOODY	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-287
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LD 1300 proposed to create the ATV Trail Advisory Council.

Committee Amendment "A" (H-287) proposed to modify the membership of the ATV Trail Advisory Council as follows:

1. Require that the 3 members who represent ATV clubs that are ATV Recreational Management Fund grantees be from local clubs from different regions of the State and that one of those members belong to both an ATV club and a snowmobile club;

Joint Standing Committee on Inland Fisheries and Wildlife

2. Reduce the number of members who represent municipal ATV Recreational Management Fund grantees from 3 to one;
3. Reduce the number of members who represent a statewide organization with an interest in operating ATVs from 2 to one;
4. Require the business member to represent both ATV and snowmobile interests;
5. Require the landowner member to represent large landowners with holdings of more than 250,000 acres;
6. Add one member who represents a statewide environmental group;
7. Add one member who represents a statewide farming organization;
8. Add one member who represents woodlot owners' interests; and
9. Provide for 2 temporary members of the council from the Department of Inland Fisheries and Wildlife that are removed from the council after February 1, 2006.

It proposed to change the meeting dates for the council from August and February to April and September. It would establish special duties for the council and require the council to report its findings and recommendations regarding those duties to the Joint Standing Committee on Inland Fisheries and Wildlife by February 1, 2006.

Enacted law summary

Public Law 2005, chapter 186 creates the ATV Trail Advisory Council. It also provides special duties related to ATV matters for the council to complete in the short-term and requires the council to report its findings and recommendations regarding those duties to the Joint Standing Committee on Inland Fisheries and Wildlife by February 1, 2006.

Public Law 2005, chapter 186 was enacted as an emergency measure effective May 20, 2005.

LD 1313 **Resolve, To Evaluate the Possibility of a Moose Hunt in Southern Maine** **RESOLVE 71**

<u>Sponsor(s)</u> TUTTLE BRYANT B	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-450
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LD 1313 proposed to direct the Commissioner of Inland Fisheries and Wildlife to establish an experimental 2-year moose lottery in Cumberland County and York County and report to the Legislature with an evaluation of the experimental lottery to the First Regular Session of the 123rd Legislature.

Committee Amendment "A" (H-450) proposed to change the bill's title, remove the requirement that the Commissioner of Inland Fisheries and Wildlife establish an experimental moose hunt lottery in Cumberland County and York County and require the commissioner to evaluate the possibility of a moose hunt in southern Maine.

Joint Standing Committee on Inland Fisheries and Wildlife

Enacted law summary

Resolve 2005, chapter 71 directs the Commissioner of Inland Fisheries and Wildlife to evaluate the feasibility of a moose hunt in southern Maine.

LD 1319 An Act To Ban the Use of Traps and Dogs in Bear Hunting ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUDLEY	ONTP	

LD 1319 proposed to prohibit the use of a dog to hunt or pursue bear and the use or setting of a trap to hunt or capture bear except under certain circumstances. The use of a dog or a trap would be permitted for certain scientific purposes or if it was undertaken by state or federal employees to kill or capture a specific animal that threatened livestock, domestic animals, threatened or endangered wildlife, property or public safety.

LD 1344 An Act To Promote Nonconsumptive Use of Maine's Fish and Wildlife Resources ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
EDER	ONTP	

LD 1344 proposed to restructure the membership of the Inland Fisheries and Wildlife Advisory Council. The act proposed to reduce the members that represent the 16 counties from 10 to 5 and proposed to require that the remaining 5 members represent bird watchers, herpetologists, wildlife watchers, naturalists and botanists.

LD 1351 Resolve, Directing the Department of Inland Fisheries and Wildlife To Prepare an Implementation Plan for Recommendations That Were Based on a Review of the Department ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WATSON BRYANT B	ONTP	

LD 1351 proposed to require the Department of Inland Fisheries and Wildlife to prepare a written response and an implementation plan for recommendations contained in a report prepared in June 2004 by the Management Assistance Team of the International Association of Fish and Wildlife Agencies based on a programmatic review of the department. This implementation plan would include a schedule and an assignment of responsibilities within the department. The department would submit a report describing the department's progress in implementing this plan to the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters no later than the first Wednesday in December 2005 and every 2 years thereafter until the plan was implemented.

Joint Standing Committee on Inland Fisheries and Wildlife

LD 1370 **An Act To Change the Membership of the Inland Fisheries and Wildlife Advisory Council** **ONTP**

<u>Sponsor(s)</u> DUDLEY		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1370 proposed to change the way members of the Inland Fisheries and Wildlife Advisory Council were selected.

LD 1456 **Resolve, Directing the Department of Inland Fisheries and Wildlife To Increase Turkey Hunting Opportunities** **RESOLVE 8
EMERGENCY**

<u>Sponsor(s)</u> BRYANT B BRYANT M		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> S-76
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LD 1456 proposed to direct the Department of Inland Fisheries and Wildlife to provide turkey hunting permits to all qualified persons who submitted timely applications for permits for the 2005 spring turkey hunting season.

Committee Amendment "A" (S-76) proposed to add an appropriation and allocation section to the resolve.

Enacted law summary

Resolve 2005, chapter 8 directs the Department of Inland Fisheries and Wildlife to provide turkey hunting permits to all qualified persons who submitted timely applications for permits for the 2005 spring turkey hunting season.

Public Law 2005, chapter 8 was enacted as an emergency measure effective April 15, 2005.

LD 1460 **An Act To Ban Bear Hunting with Traps except To Protect the Public** **ONTP**

<u>Sponsor(s)</u> PELLETIER-SIMPS		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1460 proposed to prohibit the trapping of bear except with the written permission of the Commissioner of Inland Fisheries and Wildlife to protect the public.

Joint Standing Committee on Inland Fisheries and Wildlife

LD 1477 **Resolve, Preventing the Upstream Migration of Exotic Species past the Fish River Falls and into the Fish River Watershed** **RESOLVE 50**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN	OTP-AM	S-169
JACKSON		

LD 1477 proposed to direct the Commissioner of Inland Fisheries and Wildlife to implement a program to prevent the upstream migration of exotic species past the Fish River Falls and into the Fish River watershed in Aroostook County.

Committee Amendment "A" (S-169) proposed to add language to the bill that directs the Commissioner of Inland Fisheries and Wildlife to implement the program only when funding is available from sources other than the General Fund.

Enacted law summary

Resolve 2005, chapter 50 directs the Commissioner of Inland Fisheries and Wildlife to implement a program when money from non-General Fund sources is available, to prevent the upstream migration of exotic species past the Fish River Falls and into the Fish River watershed in Aroostook County.

LD 1519 **Resolve, To Address the Unauthorized Publication of Information Concerning Recreational Trails That Cross Private Property** **RESOLVE 75**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUPLESSIE	OTP-AM	H-460
BRYANT B		

LD 1519 was a concept draft pursuant to Joint Rule 208.

The bill proposed to require that a guide for hiking or recreational trails indicate whether those trails are located on or cross private property if telecommunications towers are located on that property.

Committee Amendment "A" (H-460) proposed to replace the bill with a resolve. It would require the Department of Inland Fisheries and Wildlife and the Department of Conservation to work with the Executive Department, State Planning Office, landowners and other interested parties to develop and implement a program that ensures that publications regarding recreational trails that cross private property are authorized by the affected landowner, notify readers that the trail crosses private property and encourage trail users to be respectful of private property. It would also require the Department of Inland Fisheries and Wildlife and the Department of Conservation to jointly report to the Joint Standing Committee on Inland Fisheries and Wildlife regarding the program and its implementation no later than January 2, 2006.

Enacted law summary

Resolve 2005, chapter 75 requires the Department of Inland Fisheries and Wildlife and the Department of Conservation to work with the Executive Department, State Planning Office, landowners and other interested parties to develop and implement a program that ensures that publications regarding recreational trails that cross

Joint Standing Committee on Inland Fisheries and Wildlife

private property are authorized by the affected landowner, notifies readers that the trail crosses private property and encourages trail users to be respectful of private property. It also requires the Department of Inland Fisheries and Wildlife and the Department of Conservation to jointly report to the Joint Standing Committee on Inland Fisheries and Wildlife regarding the program and its implementation by no later than January 2, 2006.

LD 1531

An Act To End the Use of Wire Neck Snares

ONTP

<u>Sponsor(s)</u> EDER		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1531 proposed to end the use of wire neck snares by repealing the coyote control program and by removing the responsibility the Department of Inland Fisheries and Wildlife, Bureau of Resource Management had in assisting in the control of coyotes as part of the bureau's animal damage control functions.

LD 1648

**Resolve, Directing the Department of Inland Fisheries and Wildlife
To Study the Feasibility of Establishing a Program To Assess
Riverine Habitats in Maine**

RESOLVE 80

<u>Sponsor(s)</u> TRAHAN BRYANT B		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-483
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LD 1648 proposed to direct the Department of Inland Fisheries and Wildlife to coordinate and facilitate salmon and brook trout habitat restoration efforts. The resolve also would direct the department to conduct a statewide survey to create a priority list for habitat restoration and to facilitate the creation of a database.

Committee Amendment "A" (H-483) proposed to replace the resolve and direct the Department of Inland Fisheries and Wildlife to determine the scope, structure, activities and costs of a program to assess habitats provided by rivers and streams in Maine and report its findings to the Legislature by January 2, 2006.

Enacted law summary

Resolve 2005, chapter 80 directs the Department of Inland Fisheries and Wildlife to determine the scope, structure, activities and costs of a program to assess habitats provided by rivers and streams in Maine and report its findings to the Legislature by January 2, 2006.